

Resolution No. 2001-08-274

**RESOLUTION ANNEXING PROPERTY IN MINDEN TOWNSHIP
TO THE CITY OF ST. CLOUD, WHICH PROPERTY IS KNOWN
AS THE PROSPECT COURT AREA IN POINT PLEASANT ADDITION,
IN ACCORDANCE WITH THE ORDERLY ANNEXATION AGREEMENT OF
FEBRUARY 12 AND 13, 2001**

WHEREAS, the Town of Minden ("Town") and the City of St. Cloud ("City") are parties to a Joint Resolution as to Orderly Annexation ("Orderly Annexation Agreement") dated on or about February 13, 2001, which affects an area of the Town located south of TH 23 and east of the Elk River; and,

WHEREAS, paragraph 5 and 5.a. of the Orderly Annexation Agreement entitles the City to adopt a resolution approving annexation of property where a petition requesting annexation is signed by owners of 51% of individual parcels of record for developed properties; and,

WHEREAS, the City of St. Cloud received a written petition signed by 63.6% of property owners (7 of 11) requesting annexation to the City and extension of municipal utility service for property referred to as the Prospect Court area in Point Pleasant Addition, a copy of which was submitted to the Town on July 10, 2001; and,

WHEREAS, additional signatures to the subject petition were received on or about July 31, 2001, bringing the petition to 72.7% of property owners (8 of 11) requesting annexation and the extension of municipal utility service; and,

WHEREAS, in accordance with paragraph 5 of the Orderly Annexation Agreement, at least 45 days have passed since submission of a copy of the annexation petition to the Town; and,

WHEREAS, the petitioning property owners have indicated a desire to have their properties annexed to facilitate the replacement of aging private utility systems with municipal utility service; and,

WHEREAS, the subject property is located within the urban growth boundary identified in the officially adopted St. Cloud Area Joint Planning District Plan; and,

WHEREAS, annexation of the subject property will enable the City to consider extension of municipal utility services as requested by the petitioning property owners.

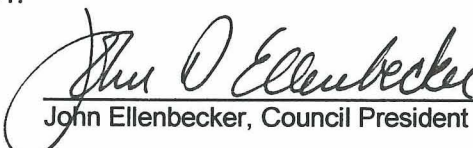
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. CLOUD, MINNESOTA:

That the City expresses its desire and approval to cause annexation of the property legally described in Exhibit A and depicted in map form in Exhibit B, in accordance with the Joint Resolution as to Orderly Annexation adopted by the City on February 12, 2001, and by the Town on February 13, 2001.

BE IT FURTHER RESOLVED:

That the City shall annually rebate to the Town for a 9-year period a portion of the property taxes collected for the subject property as provided for in paragraph 8 of the Orderly Annexation Agreement. In accordance with paragraph 9 of the Orderly Annexation Agreement, the subject property is eligible for a six-year tax step-up.

Adopted this 27th day of August, 2001.



John Ellenbecker, Council President

Attest:



City Clerk

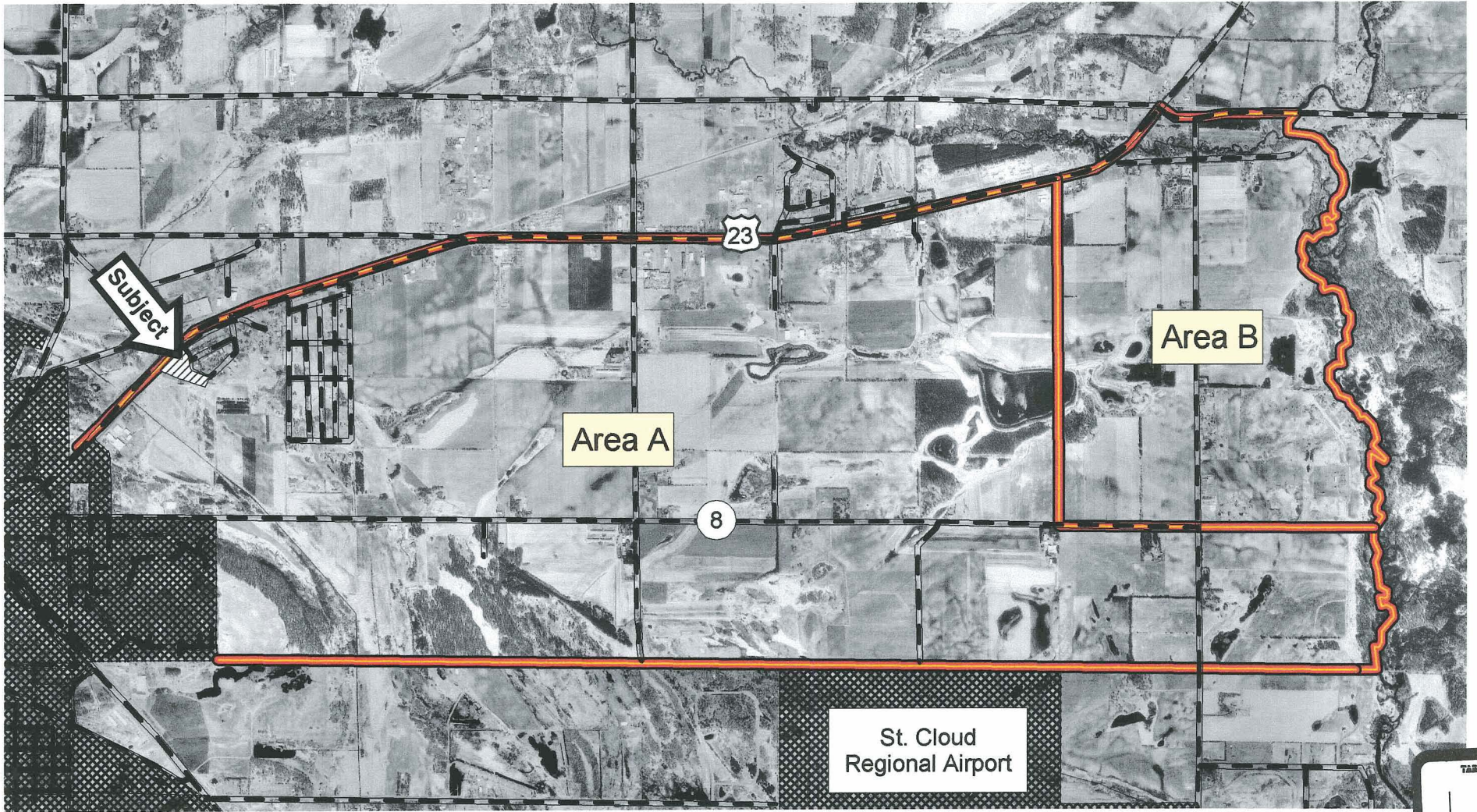
REC'D BY
MMB

SEP 24 2001

EXHIBIT A

Lots 1- 11, Block 6, and all that part of Prospect Court as shown on the recorded plat of Point Pleasant, Benton County, Minnesota.

Prospect Court Area in Point Pleasant
Minden Township
Location Within the
Orderly Annexation Agreement Area



Orderly Annexation Boundary
St. Cloud Corporate Limits



Roads



This map is neither a legally recorded map nor survey and is to be used only for reference purposes. The City of St. Cloud assumes no responsibility for actual or consequential damage incurred as a result of using this data.

500 0 500 Feet

Map prepared by the St. Cloud Planning Office, 06/01

RECD BY
M M B
SEP 24 2001

TABIES.

EXHIBIT

C

Point Pleasant

REC'D BY MMB SEP 24 2001

EXHIBIT D

Scale 1" = 150'

1/4 S.W. 1/4 Sec. 30



Curve Data:
MORNINGSIDE DRIVE,
PROSPECT DRIVE.

- A-64° 57'
- D-29° 00'
- R-199.9'
- T-127.14'
- L.C. 226.48'
- R-133.7'
- L.C. 151.63'

S.W. 1/4 S.E. 1/4 Sec. 30

S.E. Corner
S.W. 1/4 S.E. 1/4
Sec. 30 T. 36 N. R. 30 W.
Stone Monument
in Place.

N.W. 1/4 N.E. 1/4 Sec. 31

Iron Monuments Placed as Designated

or in. for kin.